

EXHIBIT D



United States Department of State

Washington, D.C. 20520

March 5, 2025

Tammi M. Hellwig
Clerk of the Court
United States District Court
For the Southern District of New York
500 Pearl St.
New York, NY 10007

**Re: Patricia Fennelly, et al. v. Islamic Republic of Iran, 1:23-cv-10824-
UA**

Dear Ms. Hellwig:

In a letter dated November 22, 2024, a copy of which is enclosed, our office wrote to the Clerk of Court regarding the Court's request for transmittal of a Summons, Complaint, Notice to Conform to Sudan Consolidated Amended Complaint or Ashton Sudan Amended Complaint, Notice to Conform to Consolidated Amended Complaint, Civil Cover Sheet, Letter to the Court (ECF #5), Related Case Statement, and Notice of Suit to the Islamic Republic of Iran pursuant to 28 U.S.C. Section 1608(a)(4) as a defendant in the above-referenced lawsuit. Enclosed with that letter was a certified copy of a diplomatic note used to transmit the requested documents.

After reviewing our records, we noticed that the letter, certified diplomatic note, and the accompanying documents were inadvertently mailed to the incorrect courthouse. Therefore, our office is enclosing another certified copy of the diplomatic note.¹

Please note that because the United States does not maintain diplomatic relations with the Government of Iran, the Department of State is assisted by the

¹ Please note that performance by the Department of State of its statutory functions under 28 U.S.C. § 1608 should not be construed as an indication in any way of the United States' position or views on whether plaintiffs have properly complied with all statutory requirements of the FSIA, the status or character of a defendant, whether service was properly effected, or the merits of any claims or defenses. See <https://travel.state.gov/content/travel/en/legal/travel-legal-considerations/internal-judicial-asst/Service-of-Process/Foreign-Sovereign-Immunities-Act.html>.

Foreign Interests Section of the Embassy of Switzerland in Tehran in delivering these documents to the Iranian Ministry of Foreign Affairs. The documents were delivered to the Iranian Ministry of Foreign Affairs under cover of diplomatic note No. 1103-IE, dated September 22, 2024 and delivered on October 1, 2024.

Should the Clerk's office have any questions or require any additional assistance in this matter, please do not hesitate to contact our office at FSIA-LR@state.gov.

Sincerely,



Jared N. Hess
Attorney Adviser
Office of the Legal Adviser
L/CA/POG/GC

Cc: Jerry Goldman
ANDERSON KILL P.C.
1251 Avenue of the Americas
New York, NY 10020



United States Department of State

Washington, D.C. 20520

CERTIFICATION OF DIPLOMATIC NOTE

TO WHOM IT MAY CONCERN:

I, Elizabeth Gracon, Acting Deputy Assistant Secretary of the Directorate of Overseas Citizens Services, Bureau of Consular Affairs, United States Department of State certify that as Acting Deputy Assistant in the Directorate of Overseas Citizens Services, I am authorized to search and examine Overseas Citizens Services Records.

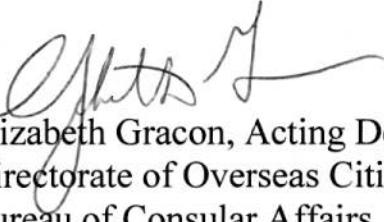
I further certify that: 1) the records attached hereto and listed below, are true and faithful copies of records in the custody of the United States Department of State; 2) I am authorized to certify these files, and 3) the record attached to this certificate was:

- A. made at or near the time of the occurrence of the matters set forth therein, by a person with knowledge of the information provided therein;
- B. kept in the course of regularly conducted activity under the authority of the Secretary of State; and,
- C. made during the regularly conducted activity as a regular practice under the authority of the Secretary of State.
 1. Embassy of the United States of America in Bern, Switzerland diplomatic note CONS NO: 28330, dated August 23, 2024, with Specific Authentication Certificate from the Embassy of the United States of America in Bern, Switzerland dated October 17, 2024;
 2. Swiss Federal Department of Foreign Affairs diplomatic note No. K.346-01-02-01-USA/IRAN, dated October 10, 2024, with Specific Authentication Certificate from the Embassy of the United States of America in Bern, Switzerland dated October 17, 2024; and
 3. Foreign Interests Section of the Embassy of Switzerland in Tehran diplomatic note No. 1103-IE, dated September 22, 2024, and delivered on October 1, 2024, to the Iranian Ministry of Foreign Affairs with Specific Authentication Certificate from the Embassy of the United States of America in Bern, Switzerland dated October 17, 2024.

I further state that this certification is intended to satisfy the following provisions:

- Rule 44, Federal Rules of Civil Procedure
- Rule 27, Federal Rules of Criminal Procedure
- Rule 902, Federal Rules of Evidence, under Title 28, United States Code Annotated

Sincerely,



Elizabeth Gracon, Acting Deputy Assistant
Directorate of Overseas Citizens Services
Bureau of Consular Affairs
U.S. Department of State

Date: March 4, 2025

SPECIFIC AUTHENTICATION CERTIFICATE

nfederation of Switzerland)
rn, Canton of Bern) SS:
bassy of the United States of America)

Anson P. McLellan, a consular officer at the Embassy of the United States at Bern, Switzerland, certify that this is a true copy of Embassy note number 28330 dated August 24, 2024, which was transmitted to the Swiss Ministry of Foreign Affairs on August 28, 24, for further transmission to the American Interests Section of the Swiss Embassy in Iran, Iran.

(Signature of Consular Officer)

Anson P. McLELLAN
(Typed name of Consular Officer)

Consul of the United States of America
(Title of Consular Officer)

October 17, 2024
(Date)





Embassy of the United States of America

August 23, 2024

CONS NO. 28330

Federal Department of Foreign Affairs
Foreign Interests Section
Kochergasse 10
Federal Palace North
Office #4.001
3003 Bern

Subject: JUDICIAL ASSISTANCE: Service of process under the Foreign Sovereign Immunities Act (FSIA) – Patricia Fennelly, et al. v. Islamic Republic of Iran, 1:23-cv-10824-UA

REF: ----

The Department of State has requested the delivery of the enclosed Summons, Complaint, Notice to Conform to Sudan Consolidated Amended Complaint or Ashton Sudan Amended Complaint, Notice to Conform to Consolidated Amended Complaint, Civil Cover Sheet, Letter to the Court (ECF #5), Related Case Statement, and Notice of Suit to the Ministry of Foreign Affairs of the Islamic Republic of Iran pursuant to the Foreign Sovereign Immunities Act in the matter Patricia Fennelly, et al. v. Islamic Republic of Iran, 1:23-cv-10824-UA.

The Embassy is herewith requesting the Swiss Ministry of Foreign Affairs to transmit the documents to the American Interests Section of the Swiss Embassy in Tehran. There is one defendant to be served in this case: the Islamic Republic of Iran. The American Interests Section should transmit the Summons, Complaint, Notice to Conform to Sudan Consolidated Amended Complaint or Ashton Sudan Amended Complaint, Notice to Conform to Consolidated Amended Complaint, Civil Cover Sheet, Letter to the Court (ECF #5), Related Case Statement, and Notice of Suit to the Iranian Ministry of Foreign Affairs under cover of one diplomatic note utilizing the language provided in the enclosed instructions.

Transmittal should be done in a manner which enables the Embassy to confirm delivery. The American Interests Section should execute certifications of the diplomatic notes, which will be forwarded by the Department of State to the requesting court in the United States.

Enclosed is one appropriate part of a message the Embassy received from the Department of State as well two sets of documents for each defendant.

The Embassy would appreciate being informed of the date the American Interests Section of the Swiss Embassy in Tehran receives the documents as well as the date the Interests Section forwards the documents to the Iranian authorities.

SPP's assistance is much appreciated.



BEGIN TEXT OF DIPLOMATIC NOTE REGARDING DEFENDANT Islamic Republic of Iran:

The Embassy of Switzerland, Foreign Interests Section in Tehran refers the Ministry of Foreign Affairs of the Islamic Republic of Iran to the lawsuit *Patricia Fennelly, et al. v. Islamic Republic of Iran*, 1:23-cv-10824-UA, which is pending in the U.S. District Court for the Southern District of New York. The Islamic Republic of Iran is a defendant in this case. The Foreign Interests Section transmits a Summons, Complaint, Notice to Conform to Sudan Consolidated Amended Complaint or Ashton Sudan Amended Complaint, Notice to Conform to Consolidated Amended Complaint, Civil Cover Sheet, Letter to the Court (ECF #5), and Related Case Statement herewith. The U.S. District Court for the Southern District of New York has requested service of these documents. This note constitutes transmittal of these documents to the Government of the Islamic Republic of Iran as contemplated in Title 28, United States Code, Section 1608(a)(4).

Under applicable U.S. law a defendant in a lawsuit must file an answer to the Complaint or some other responsive pleading within 60 days of the date of transmittal of the Complaint, in this case the date of this note. Failing to do so, a defendant risks the possibility of having judgment entered against it without the opportunity to present arguments or evidence on its behalf. Therefore, the Foreign Interests Section requests that the enclosed Summons and Complaint be forwarded to the appropriate authority of the Islamic Republic of Iran with a view towards taking whatever steps are necessary to avoid a default judgment.

In addition to the documents listed above, the Foreign Interests Section is enclosing a Notice of Suit, prepared by the plaintiff, which summarizes the nature of the case and includes references to U.S. laws concerning suits against foreign States.

The Foreign Interests Section has been advised that under U.S. law any jurisdictional or other defense including claims of sovereign immunity must be addressed to the court before which the matter is pending, for which reason it is advisable to consult an attorney in the United States. It is the practice of the U.S. Department of State to be available to discuss the requirements of U.S. law with counsel. The U.S. Government is not a party to this case and cannot represent other parties in this matter.

Attachments:

1. Summons, Complaint, Notice to Conform to Sudan Consolidated Amended Complaint or Ashton Sudan Amended Complaint, Notice to Conform to Consolidated Amended Complaint, Civil Cover Sheet, Letter to the Court (ECF #5), Related Case Statement, and Notice of Suit
2. Translations

END TEXT OF DIPLOMATIC NOTE REGARDING DEFENDANT Islamic Republic of Iran

SPECIFIC AUTHENTICATION CERTIFICATE

of the Swiss
federation of Switzerland)
, Canton of Bern) SS:
assy of the United States of America)

tify that the annexed document bears the genuine seal of the Swiss Federal
partment of Foreign Affairs.

tify under penalty of perjury under the laws of the United States that the foregoing
true and correct.



(Signature of Consular Officer)

Anson P. McLellan
(Typed name of Consular Officer)

Consul of the United States of America
(Title of Consular Officer)

October 17, 2024
(Date)





Schweizerische Eidgenossenschaft
Confédération suisse
Confederazione Svizzera
Confederaziun svizra

Federal Department of Foreign Affairs FDFA

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K 346-01-02-01-USA/IRAN

The Federal Department of Foreign Affairs presents its compliments to the Embassy of the United States of America and refers to Cons Note No. 28330 dated August 23, 2024 regarding judicial assistance and has the honor to convey following documents of the U.S. Interests Section of the Embassy of Switzerland in Tehran:

Judicial Assistance:

Patricia Fennelly et al. v. Islamic Republic of Iran, 1:23-cv-10824-UA

- Note 1103-IE addressed to the Government of the Islamic Republic of Iran

dated September 22, 2024 and proof of service, dated October 01, 2024 as well as the certification by the Swiss Federal Chancellery dated October 10, 2024.

The section has received the above-mentioned documents on September 10, 2024. It has transmitted these to the Iranian Ministry of Foreign Affairs together with its diplomatic note on October 01, 2024. The reception of the mentioned documents was refused the same day by the Iranian Ministry of Foreign Affairs.

The Federal Department of Foreign Affairs avails itself of this opportunity to renew to the Embassy of United States of America the assurances of its highest consideration.

Berne, October 10, 2024

Enclosure(s) mentioned



To the
Embassy of the
United States of America

Berne

SPECIFIC AUTHENTICATION CERTIFICATE

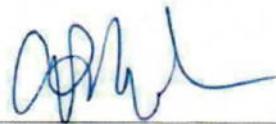
Confederation of Switzerland)
Bern, Canton of Bern) SS:
Embassy of the United States of America)

I certify that the annexed document is executed by the genuine signature and seal of the
following named official who, in an official capacity, is empowered by the laws of
Switzerland to execute that document.

I certify under penalty of perjury under the laws of the United States that the foregoing
is true and correct.

Gaëlle CAFARO-VULLIERAT

(Typed name of Official who executed the annexed document)



(Signature of Consular Officer)

Anson P. McLELLAN

(Typed name of Consular Officer)

Consul of the United States of America

(Title of Consular Officer)

October 17, 2024

(Date)



Schweizerische Eidgenossenschaft
 Confédération suisse
 Confederazione Svizzera
 Confederaziun svizra

Embassy of Switzerland in Iran
 Foreign Interests Section

No. 1103-IE

The Embassy of Switzerland, Foreign Interests Section in Tehran, presents its compliments to the Ministry of Foreign Affairs of the Islamic Republic of Iran, and has the honor to refer the Ministry to the lawsuit *Patricia Fennelly, et al. v. Islamic Republic of Iran*, 1:23-cv-10824-UA, which is pending in the United States District Court for the Southern District of New York. The Islamic Republic of Iran is a defendant in this case. The Embassy transmits a Summons, Complaint, Notice to Conform to Sudan Consolidated Amended Complaint or Ashton Sudan Amended Complaint, Notice to Conform to Consolidated Amended Complaint, Civil Cover Sheet, Letter to the Court (ECF #5), and Related Case Statement herewith. The U.S. District Court for the Southern District of New York has requested service of these documents. This note constitutes transmittal of these documents to the Government of the Islamic Republic of Iran as contemplated in Title 28, United States Code, Section 1608(a)(4).

Under applicable U.S. law, a defendant in a lawsuit must file an answer to the Complaint or some other responsive pleading within 60 days of the date of transmittal of the Complaint, in this case the date of this note. Failing to do so, a defendant risks the possibility of having judgment entered against it without the opportunity to present arguments or evidence on its behalf. Therefore, the Embassy requests that the enclosed Summons and Complaint be forwarded to the appropriate authority of the Islamic Republic of Iran with a view towards taking whatever steps are necessary to avoid a default judgment.

In addition to the documents listed above, the Embassy is enclosing a Notice of Suit, prepared by the plaintiff, which summarizes the nature of the case and includes references to U.S. laws concerning suits against foreign States.

The Embassy has been advised that under U.S. law any jurisdictional or other defense including claims of sovereign immunity must be addressed to the court before which the matter is pending, for which reason it is advisable to consult an attorney in the United States. It is the practice of the U.S. Department of State to be available to discuss the requirements of U.S. law with counsel. The U.S. Government is not a party to this case and cannot represent other parties in this matter.

The Embassy of Switzerland, Foreign Interests Section, avails itself of this opportunity to renew to the Ministry of Foreign Affairs of the Islamic Republic of Iran the assurances of its highest consideration.

Tehran – September 22, 2024



Attachments:

1. Summons, Complaint, Notice to Conform to Sudan Consolidated Amended Complaint or Ashton Sudan Amended Complaint, Notice to Conform to Consolidated Amended Complaint, Civil Cover Sheet, Letter to the Court (ECF #5), Related Case Statement, and Notice of Suit
2. Translations

**Ministry of Foreign Affairs
 Islamic Republic of Iran
 Department of American Affairs
 Tehran**

I, Dominique Baeriswyl, Head of the Foreign Interests Section of the Embassy of Switzerland in Iran, certify herewith that this is a true copy of Diplomatic Note No. 1103-IE, dated September 22, 2024. The delivery of this note and its enclosures was attempted on October 01, 2024, but the Iranian Ministry of Foreign Affairs refused its acceptance.



Dominique Baeriswyl
Head of the Foreign Interests Section



Tehran – October 01, 2024

APOSTILLE (Convention de la Haye du 5 octobre 1961)	
1. Country: SWISS CONFEDERATION	
This public document	
2. has been signed by Dominique Baeriswyl	
3. acting in the capacity of Head of the Foreign Interests Section	
4. bears the seal/stamp of	
EMBASSY OF SWITZERLAND U.S. INTERESTS SECTION TEHERAN	
Certified	
5. at Berne	6. the 10 October 2024
7. by Gaëlle Cafaro-Vullierat functionary of the Swiss federal Chancellery	
8. No. 023657	
9. Seal/stamp:	10. Signature: 
Swiss federal Chancellery	



ترجمه غیر رسمی

سفارت سوئیس
قسمت حافظ منافع خارجی

شماره 1103-IE

سفارت سوئیس، قسمت حافظ منافع خارجی در تهران، ضمن اظهار تعارفات خود به وزارت امور خارجه جمهوری اسلامی ایران، احتراماً توجه آن وزارت خاله محترم را به دعوای حقوقی تحت عنوان پاتریشیا فلی و دیگران علیه جمهوری اسلامی ایران، تحت پرونده مدنی شماره 1:23-cv-10824-UA که در دادگاه منطقه ای ایالات متحده برای ناحیه حنوب نیو یورک مفتح میباشد، چلب می نماید. جمهوری اسلامی ایران طرف خوانده در این پرونده می باشد. سفارت سوئیس بنا به درخواست دادگاه منطقه ای ایالات متحده برای ناحیه حنوب نیو یورک، یک فقره احضاریه، شکایت، اطلاعیه برای انتطبق با شکایت اصلاح شده تلقی سودان یا شکایت اصلاح شده اشلون سودان، اطلاعیه برای مطابقت با شکایت اصلاح شده تلقی، برگه جلد دادخواست مدنی، نامه به دادگاه (پرونده الکترونیکی شماره ۵) و اظهارات پرونده های مرتبط را ایجاد می دارد. برای مقررات فصل 28 بخش 1608 بند (الف) (۴) مجموعه قوانین ایالات متحده، این باداشت به منزله ابلاغ مدارک مذکور به دولت جمهوری اسلامی ایران تلقی می گردد.

طبق قوانین قابل اجرا ایالات متحده، خوانده یک پرونده می بایست طرف ۶۰ روز از تاریخ ابلاغ شکایت، در این مورد تاریخ باداشت، پاسخی به شکایت یا دیگر پاسخی دفاعی در پرونده بگارد. در غیر اینصورت، ممکن است حکمی بر ضد خوانده صادر گردد بدون آنکه خوانده فرصت از اتهاد و دفاعیه از طرف خود را داشته باشد. لذا، سفارت در خواست می نماید که احضاریه و شکایت ضمیمه، با این دید که اقدامات لازم جهت حلولگری از حکم قصور انجام شود، برای مقامات مربوطه ایرانی ارسال گردد.

سفارت علاوه بر مدارک فوق الذکر، اطلاعیه اقامه دعوی که توسط شکی دادر بر خلاصه ماهیت پرونده و مشتمل بر رونوشتی از مجموعه قوانین ایالات متحده امریکا در خصوص دادخواست علیه دولتهای خارجی تهیه شده است، را به پیوست ایفاد می نارد.

سفارت بینویسله اشعار می دارد که بمحض قوانین ایالات متحده امریکا، هر گونه دفاع مربوط به قلمرو قضائی و اداری و یا دفاع دیگری، از جمله عنوان نمودن مصنوبیت دولت ها، باید در مقابل دادگاهی صورت گیرد که موضوع در آن مفتوج می باشد. از این رو مشورت با یک مشاور حقوقی در ایالات متحده امریکا توصیه می گردد. وزارت امور خارجه ایالات متحده امریکا آمده گفتوگو با مشاور در مورد قوانین مربوطه میباشد. دولت ایالات متحده امریکا از طرفین این پرونده نبوده و نماینده هیچ یک از طرفین نخواهد بود.

سفارت سوئیس، قسمت حافظ منافع خارجی، موقع را متعین شمرده مراتب احترامات فاقه خود نسبت به وزارت امور خارجه جمهوری اسلامی ایران را تجدید می نماید.

تهران - یتاریخ یکم سهر ماه ۱۴۰۳ (۲۲ سپتامبر ۲۰۲۴)



پیوست: ۱- احضاریه، شکایت، اطلاعیه برای انتطبق با شکایت اصلاح شده تلقی سودان با شکایت اصلاح شده اشلون سودان، اطلاعیه برای مطابقت با شکایت اصلاح شده تلقی، برگه جلد دادخواست مدنی، نامه به دادگاه (پرونده الکترونیکی شماره ۵)، اظهارات پرونده های مرتبط و اطلاعیه اقامه دعوی
۲- ترجمه ها

اداره امور امریکا
وزارت امور خارجه
جمهوری اسلامی ایران
تهران



United States Department of State

Washington, D.C. 20520

November 22, 2024

Ms. Angel D. Caesar
United States District Court
For the District of Columbia
333 Constitution Ave. N.W.
Washington, DC 20001

Re: Patricia Fennelly, et al. v. Islamic Republic of Iran, 1:23-cv-10824-UA

Dear Ms. Caesar:

I am writing regarding the Court's request for transmittal of a Summons, Complaint, Notice to Conform to Sudan Consolidated Amended Complaint or Ashton Sudan Amended Complaint, Notice to Conform to Consolidated Amended Complaint, Civil Cover Sheet, Letter to the Court (ECF #5), Related Case Statement, and Notice of Suit to the Islamic Republic of Iran pursuant to 28 U.S.C. Section 1608(a)(4) as a defendant in the above referenced lawsuit.

Because the United States does not maintain diplomatic relations with the Government of Iran, the Department of State is assisted by the Foreign Interests Section of the Embassy of Switzerland in Tehran in delivering these documents to the Iranian Ministry of Foreign Affairs. The documents were delivered to the Iranian Ministry of Foreign Affairs under cover of diplomatic note No. 1103-IE, dated September 22, 2024, and delivered on October 1, 2024. A certified copy of the diplomatic note is enclosed.¹

Sincerely,

A handwritten signature in blue ink, appearing to read "Jared N. Hess".

Jared N. Hess
Attorney Adviser
Office of the Legal Adviser
L/CA/POG/GC

¹ Please note that performance by the Department of State of its statutory functions under 28 U.S.C. § 1608 should not be construed as an indication in any way of the United States' position or views on whether plaintiffs have properly complied with all statutory requirements of the FSIA, the status or character of a defendant, whether service was properly effected, or the merits of any claims or defenses. See <https://travel.state.gov/content/travel/en/legal/travel-legal-considerations/internl-judicial-asst/Service-of-Process/Foreign-Sovereign-Immunities-Act.html>.

Cc: Jerry Goldman
ANDERSON KILL P.C.
1251 Avenue of the Americas
New York, NY 10020